

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

---

<b>DANNA MORRISON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>NO. _____</b>
<b>v.</b>	)	
	)	<b>JURY DEMAND</b>
<b>BLASINGAME, BURCH, GARRARD</b>	)	
<b>&amp; ASHLEY, P.C.</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

---

**NOTICE OF REMOVAL**

---

**TO THE HONORABLE JUDGES OF THE COURT:**

1. The above-named Plaintiff filed a Complaint in the Circuit Court of Marion County, Tennessee, bearing Docket No. 21601.

2. On May 18, 2017, Defendant was served through the Tennessee Secretary of State with the Complaint.

3. Upon information and belief, Plaintiff, Danna Morrison, is a citizen and resident of Marion County, Tennessee at the time of the filing of the Complaint.

4. Defendant, Blasingame, Burch, Garrard & Ashley, P.C., was at the commencement of this action and still is a private professional corporation organized under the laws of the State of Georgia with its principal place of business in the State of Georgia. It is, therefore, a citizen of the State of Georgia. It has no shareholders who are citizens of Tennessee. The controversy concerns alleged professional negligence.

5. There is complete diversity of citizenship between the Plaintiff and the Defendant.

6. Based upon the allegations in the Complaint and the nature of the lawsuit, the Defendant has a good faith basis to assert that the amount in controversy exceeds the sum or value of Seventy-five Thousand and 00/100 Dollars (\$75,000) exclusive of interest and costs, despite the fact the Plaintiff did not plead a specific *ad damnum*. Plaintiff does allege, however, that she “suffered substantial damages by settling her products liability case for substantially less than she would have ever done so” (Complaint, Par. 15). Plaintiff alleges she was offered Three Hundred Twenty-five Thousand and 00/100 Dollars (\$325,000) to settle her products liability action (Complaint, Par. 11), and that she received an additional Three Hundred Thousand and 00/100 Dollars (\$300,000) from a Special Master (Complaint, Par. 13). The Plaintiff further avers that “she felt her case would receive a verdict or settlement well in excess of seven figures” (Complaint, Par. 11). Thus, the amount in controversy exceeds the jurisdictional threshold. Further, this suit is wholly between citizens of different states and is within the jurisdiction of this Court, pursuant to the provisions of Title 28, United States Code, Section 1332, and is removable to this Court pursuant to the provisions of Title 28, United States Code, Section 1441, *et seq.*

7. This Notice is being filed within thirty (30) days after service on the Defendant and is timely filed pursuant to Title 28 §1441, and Rule 6(a) of the Federal Rules of Civil Procedure.

8. No further proceedings have occurred in this action. A copy of all process, pleadings and orders served on Defendant in the Circuit Court of Marion County, Tennessee, is attached as Exhibit 1.

9. A true and correct copy of this Notice is being filed with the Clerk of the Circuit Court for Marion County, Tennessee, as required by Title 28 U.S.C. §1446(d).

WHEREFORE, Defendants pray this Honorable Court accept this Notice of Removal and allow this cause to proceed before this Court as an action properly removed.

Dated: June 14, 2017.

*Respectfully submitted,*

**LEITNER, WILLIAMS, DOOLEY & NAPOLITAN, PLLC**

By: s/ William E. Godbold, III  
WILLIAM E. GODBOLD, III - TN BPR#: 4565  
ANDREW J. GODBOLD - TN BPR#: 31134  
*Attorneys for Defendant*  
Tallan Building  
200 West M.L. King Blvd., Suite 500  
Chattanooga, TN 37402  
(423) 424-3907 Direct  
(423) 308-0907 Fax

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14<sup>th</sup> day of June, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Michael E. Richardson, Esq.  
Tidwell, Izell & Richardson  
736 Market Street  
Suite 1550  
Chattanooga, TN 37402  
[mer@mrichardsonlaw.com](mailto:mer@mrichardsonlaw.com)

By: s/ William E. Godbold, III  
WILLIAM E. GODBOLD, III - TN BPR#: 4565